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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.487 OF 2007
IN
FIRST APPEAL NO.169 OF 2007
IN
M.A.C.P. NO.6 OF 1995

The United India Insurance Co. Ltd. ...Applicant
V/s.
Mohammed Bakar Tunni Shaikh & Anr. ...Respondents

Ms.Ghotekar, Advocate, for the Applicant.

CORAM : ABHAY S. OKA, J.

DATE : 23RD NOVEMBER, 2007.

P.C.:

1. Heard the learned Advocate for the applicant. None appears for the 1st respondent (original claimant). The learned Advocate for the applicant states that the entire amount due and payable as per the impugned judgment and award has been deposited with the Tribunal.

2. By ad-interim order, the 1st respondent has been permitted to withdraw a sum of Rs.75,000/- and a further amount of Rs.75,000/- on furnishing adequate security. In addition to the said amount, the 1st respondent will have to be permitted to withdraw a further amount of Rs.75,000/- without security as well

as a sum of Rs.75,000/- on furnishing adequate security.

3. Hence the Civil Application is disposed of by passing following order :-

"O R D E R"

(a). The ad-interim order dated 25-01-2007 is confirmed subject to modification that in addition to the amounts mentioned in clause 4 of the ad-interim order dated 25-01-2007, the 1st respondent will be permitted to withdraw a further amount of Rs.75,000/- without any security and an additional amount of Rs.75,000/- on furnishing adequate security.

(b). Rest of the amount deposited by the applicant shall be invested by the Tribunal in the fixed deposit in any nationalized bank and the same shall be renewed from time to time till the disposal of the Appeal.

(c). Hearing of the Appeal is expedited.

[ABHAY S. OKA, J.]